

THE
CASE

OF THE

Daughters of the late Earl of ROCHESTER, and Granddaughters and Heirs to JOHN MALLET, Esquire, as to their BILL for Settling the Navigation of the New Cut River, leading from Bridgwater to Taunton.

JOH N Mallett (Thirteenth of King Charles the First) having a Design to Cut this New River, sued out an *Ad quod Damnum*, and had a Commission under the Great Seal, to Compound with the Owners of the Lands, through which he was to Cut; and was also fain to Cleanse, and Scour the Old River, and make an entire new Cut, for the space of near half a Mile, and to Erect thereupon several Sluces, and Floodgates, and to make one Bridge over it, and to keep the same in Repair ever since, for the Benefit of Passengers that way; (it being an High-way for all People to travel in.) All which he did at his own Charge, without any Contribution from any Body, and therein Expended Six thousand Pounds and upwards.

And the said John Mallett, after he had perfected the said Work, to the great advantage of the Country thereabouts, dying before he reaped any Benefit thereby: And his Heirs being very young, and the ill Times coming on, there was no Care taken of his, and their having any Pattent, for settling the Navigation of the said new Cut River, till the time of King Charles the Second, tho' they did before receive Rent for it.

And then, upon Certificate of the Judges of Assize, and the Gentlemen of the Country, a Pattent was Granted to the said Ladies, and they have Farmed the said Navigation to Tenants for an Annual Rent.

But by reason of their Tenants, demanding unreasonable Rates of Passengers through the said new Cut, several Disputes, and Suits in Law, did arise thereupon; To end those Disputes, and quiet all Differences for the future, this Bill is desired, that a reasonable Toll may be set upon every Boat, and Lighter, that shall pass under the said Bridge, or Load, or unload Goods, within the said Cut, (the said Ladies and their Heirs, being obliged by the Commissioners of Sewers, to Repair the said Bridge, and Cleanse the said Cut.)

And it being very Beneficial to the Country, to have this Water-passage open, for the Carriage of their Goods, and Merchandize; and to have the said Bridge kept in good Repair, this Bill will settle the whole Matter.

THE
C A S E
OF

The Co-heirs of *JOHN*
late Earl of *ROCHESTER*
Deceased.